

ARTICLE X

MISCELLANEOUS PROVISIONS

Section 1. Contracts: All valid and existing contracts to which the City of Arlington is a party, heretofore validly made and not heretofore terminated by agreement, novation, breach or otherwise, shall be unaffected by the adoption of this Charter, and shall be executed in accordance with the provisions of this Charter, and laws applicable thereto, and for such purposes only, all laws and parts of laws applicable to any such contracts, if not in conflict herewith, are continued in full force and effect.

Section 2. Tax Debt Arrearages: No money shall be paid by the City upon any claims, debt, demand or account whatsoever, to any person, firm or corporation who is in arrears to the City of Arlington for taxes or otherwise, and the City shall be entitled to a counter claim and offset against any such debt, claim, demand or account, in the amount of taxes or other debt in arrears, and no assignment or transfer of such debt, claims, demands or accounts, after the said taxes or other debts are due, shall affect the right of the City to offset the said taxes or other debts against the same.

Section 3. Ordinances and Resolutions in Force: All ordinances and resolutions in force at the time this Charter shall become effective, not inconsistent with its provisions shall continue in force until amend or repealed.

Section 4. Execution of City Property: No property owned or held by in the City and held or used for public purposes, or intended for public use and reasonably adapted to such use, shall be subject to any execution of any kind or nature.

Section 5. Garnishment of City Funds: No fund of the City shall be subject to garnishment, and the City shall never be required to answer in any garnishment proceedings.

Section 6. Claims of Damages: The City shall not be liable on account of any claim for death, injury or damages to any

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person or property unless the person asserting such claims, or their representative, shall give the City written notice of such claim by filing such written notice with the City Secretary within one hundred eighty (180) days from the time the incident causing such death or damages occurred, with a statement of facts reasonably sufficient to form a basis of an intelligent investigation, and no suit shall be instituted or maintained on any such claim until the expiration of ninety (90) days from the time such notice shall have been filed. (Adopted by Charter Amendment, May 10, 1988)

Section 7. Effective Date of Charter : This Charter, if adopted, shall become effective from and after the votes cast at the election at which it is submitted to the voters shall have been counted and the result of said election declared and an order or ordinance shall have been entered upon the records of the City Council declaring it adopted.

Section 8. Amendment or Repeal of Charter : This Charter, if adopted, may be altered, amended or repealed as provided by State law. (Adopted by Charter Amendment, April 5, 1980)

Section 9. Recording of Charter : This Charter, if adopted, shall be recorded in full in the Minutes of the City Council, and as part of the proceedings of the meeting at which it is declared adopted, and the City Secretary shall carefully preserve the original in his office. As soon as practicable after it is adopted, it shall be the duty of the Mayor to certify to the Secretary of State, as required by statute, a duly authenticated copy hereof, under the seal of the City, for record in the office of said Secretary of State.

Section 10. Conformity of Charter with State Laws : The Charter herewith submitted is and shall be cumulative of all other laws of the State governing cities of more than five thousand inhabitants, not in conflict herewith, and the enumeration of the powers made in this Charter shall never be construed to preclude, by implication or otherwise, the City from doing any and all things not inhibited by the Constitution and laws of Texas.

Section 11. Force and Effect of Charter : This Charter shall have the force and effect of a general law, and it

shall not be necessary to plead or prove the same, or any part thereof, in any suit or legal proceedings, and all courts shall take judicial notice.